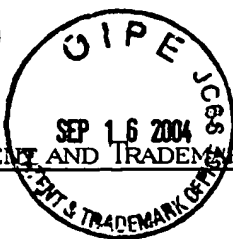




UNITED STATES PATENT AND TRADEMARK OFFICE


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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/773,752	02/06/2004	Michael A. Lewinski	034827-4001

 30542  
 FOLEY & LARDNER  
 P.O. BOX 80278  
 SAN DIEGO, CA 92138-0278

CONFIRMATION NO. 4022

## FORMALITIES LETTER



\*OC000000012580440\*

Date Mailed: 05/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/17/2004 MMEKONEN 00000095 500872 10773752

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 DA
02 FC:1201	86.00 DA
03 FC:1051	130.00 DA
04 FC:1202	324.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1 and 2.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$410** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1310** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$410**
  - **\$86** for **1** independent claims over 3.
  - **\$324** for **18** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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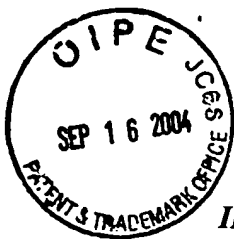
*A copy of this notice **MUST** be returned with the reply.*

*MT/egore*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Dkt. No. 034827-4001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lewinski, et al.

Title: METHOD OF REDUCING CROSS  
SAMPLE CONTAMINATION  
DURING FILTER SAMPLING

Appl. No.: 10/773,752

Filing Date: 02/06/2004

Examiner: UNKNOWN

Art Unit: 1744

<p align="center"><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p align="center"><u>Germaine Sarda</u> (Printed Name)</p> <p align="center"><u><i>Germaine Sarda</i></u> (Signature)</p> <p align="center"><u>September 13, 2004</u> (Date of Deposit)</p>
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**TRANSMITTAL OF MISSING PARTS**  
**OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed May 10, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- ☒ Declaration and Power of Attorney (5 pages)
- ☒ Return Copy of Notice to File Missing Parts (2 pages).
- ☒ Information Disclosure Statement (2 pages).
- ☒ PTO Form SB08 (2 pages) and 8 references.
- ☒ Return postcard.

09/17/2004 MMEKONEN 00000095 10773752

05 FC:1253 950.00 DA

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☐ Extension for response filed within the first month  
☐ Extension for response filed within the second month  
☒ Extension for response filed within the third month  
☐ Extension for response filed within the fourth month  
☐ Extension for response filed within the fifth month

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total	38	- 20	= 18	x \$18.00	= \$324.00
Claims:					
Independ	4	- 3	= 1	x \$86.00	= \$86.00
ents:					
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of				+ \$130.00	= \$130.00
Executed Declaration and late payment of filing fee					
<input checked="" type="checkbox"/> Extension fee for response filed within				+ \$950.00	= \$950.00
the third month:					
				SUBTOTAL:	= \$2,260.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$2,260.00
				TOTAL FEE	= \$2,260.00
Difference to pay:				- \$0.00	- \$2,260.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$2,260.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit  
Account No. 50-0872.

Respectfully submitted,

Date September 13, 2004

By 

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6722  
Facsimile: (858) 792-6773

Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431